



**MINUTES OF THE
JOINT MEETING OF THE RULES AND OPEN GOVERNMENT COMMITTEE
AND COMMITTEE OF THE WHOLE**

SAN JOSE, CALIFORNIA

WEDNESDAY, SEPTEMBER 5, 2018

The Joint Meeting of the Rules and Open Government Committee and Committee of the Whole of the City of San José convened in Regular Session at 2:01 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

PRESENT: Mayor Sam Liccardo, Chair; Vice Mayor Magdalena Carrasco, Vice Chair; Councilmember Dev Davis; Councilmember Chappie Jones and Councilmember Johnny Khamis, Members.

ABSENT: None.

STAFF: City Attorney, Richard Doyle; City Manager David Sykes; City Clerk Toni J. Taber; Gloria Schmanek, Office of the City Manager; Nicole Inamine, Mayor's Office; Agenda Services Manager, Mackenzie Mossing and Deputy City Clerk, Ruth Krantz.

A. City Council (City Clerk)

1. Review September 11, 2018 Final Agenda

- a) Add new items to Final Agenda**
- b) Assign "Time Certain" to Agenda Items (if needed)**
- c) Review of Notice Waiver Requests for Agenda Items or Documents (if needed)**

Public Comments: Blair Beekman on proposed Consent items and the need for public accountability.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Committee accepted the September 11, 2018 Final Agenda, with items 3.3 and 3.5 to be deferred to September 18, 2018 and heard together at that time. (5-0.)

2. Review September 18, 2018 Draft Agenda

- a) Add new items to Final Agenda**
- b) Assign “Time Certain” to Agenda Items (if needed)**
- c) Review of Notice Waiver Requests for Agenda Items or Documents (if needed)**

Public Comments: Blair Beekman addressed surveillance issues and energy renewable greenhouse gas contracts.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee accepted the September 18, 2018 Draft Agenda, with item 10.2 to be heard last and with no evening session required. (5-0.)

B. Review of Upcoming Meeting Agenda(s)

There were none presented.

C. Legislative Update

- 1. State**
- 2. Federal**

There were none presented.

D. Meeting Schedules

1. Release Date for Study Session to be held on Friday, September 7, 2018

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Magdalena Carrasco, and carried unanimously, as requested by the City Manager’s Office, the September 7, 2018 Study Session date was released. (5-0.)

2. 2018-2019/2019-2020 City Budget Calendar and Budget Study Session Schedule (City Manager)

(a) Approve the proposed City Budget Calendar as presented in Attachment A and the detailed schedule for City Council Budget Study Sessions for the 2018-2020 Operating Budget, 2019-2020 Capital Budget and 2020-2024 City Capital Improvement Program, and 2019-2020 Fees and Charges Report as presented in Attachment B and explained in this memorandum.

(b) Place the item on the September 11, 2018 City Council Agenda for adoption.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee accepted the 2018-2019/2019-2020 City Budget Calendar and Budget Study Session Schedule, with the item to be placed on the September 11, 2018 City Council Agenda for adoption. (5-0.)

E. The Public Record

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated August 23, 2018, transmitting the Public Record for the Week of August 17 – August 23, 2018.

Public Comment: Blair Beekman offered comments regarding the PG&E rate increases.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, the Committee noted and filed the public record. (5-0.)

F. Boards, Commissions and Committees

1. Appointments

(a) VEBA Advisory Committee Appointments (City Manager)

(a) Approve the appointment of the following individuals to the Voluntary Employees Beneficiary Association (VEBA) Advisory Committee:

(1) Patrick Chung, nominated by San José Firefighters, IAFF Local 230, to a term ending May 31, 2012.

(2) Ben Lam, nominated by the San José Police Officers Association, to a term ending May 31, 2020;

(3) Farheen Sultana, nominated by the Federated unions, to a term ending May 31, 2011;

(4) Elsa Cordova, nominated by the City Manager, to a term ending May 31, 2019; and

(b) Place the item on the September 11, 2018 City Council Agenda for action.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, Committee accepted the VEBA Advisory Committee Appointments, and the item was placed on the item on the September 11, 2018 City Council Agenda for action. (5-0.)

2. Work Plans & Annual Reports

There were none presented.

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

a. **Approval of Disability Awareness Day sponsored by Council District 1 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Jones)**

b. **Approval of the 6th Annual July 4th Family Fun Festival and Fireworks Show sponsored by Council District 10 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Khamis)**

1. Consent Calendar (Cont'd)

- c. Approval of Bark in the Park sponsored by Council District 3 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Perez)**
- d. Approval of Shred A Thon and E-Waste Collection Day sponsored by Council District 1 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Jones)**
- e. Approval of Coastal Clean Up Day as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Liccardo)**
- d. Retroactive approval of Philippine Flag Raising sponsored by Council District 8 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Arenas)**

Documents Filed: (1) Memorandum from Councilmember Chappie Jones, dated August 16, 2018, recommending approval of a District 1 community event; (2) Memorandum from Councilmember Johnny Khamis, dated August 16, 2018, recommending approval of a District 10 community event; (3) Memorandum from Councilmember Raul Perez, dated August 16, 2018, recommending approval of a District 3 community event; (4) Memorandum from Councilmember Chappie Jones, dated August 16, 2018, recommending approval of a District 1 community event; (5) Memorandum from Mayor Sam Liccardo, dated August 16, 2018, recommending approval of a City Council Special Event; (6) Memorandum from Councilmember Sylvia Arenas, dated August 16, 2018, recommending retroactive approval of a District 8 community event.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones and carried unanimously, approval of the City Council sponsored Special Events were accepted and placed on the September 11, 2018 City Council Agenda for action. (5-0.)

END OF CONSENT CALENDAR

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee Workplan.

Approve changes to the Community and Economic Development Committee Workplan:

Add the following item to the Community and Economic Development Committee September 24, 2018 Agenda.

Approve the Human Services Commission FY 2017-2018 annual report and workplan for FY 2018-2019 (City Manager)

Documents Filed: Memorandum from Chief of Staff, Office of the City Manager, Lee Wilcox, dated August 29, 2018, recommending acceptance of changes to the CED Committee Work Plan.

Public Comment: Blair Beekman spoke on the importance of this committee.

I. Review of additions to Council Committee Agendas/Workplans (Cont'd.)

Action: Upon motion Councilmember Johnny Khamis, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, the Committee approved the recommendations. (5-0.)

2. Neighborhood Services and Education Committee

- a) **Approve the Neighborhood Services and Education Committee Workplan for the period August through December 2018, and setting its meeting schedule on the second Thursday of each month at 1:30 p.m. in Rooms W118-119.**
- b) **Accept the draft Neighborhood Services and Education Committee workplan for the period January through June 2019.**

Documents Filed: Joint memorandum from Mayor Sam Liccardo and Councilmember Donald Rocha, dated August 31, 2018 providing recommendations.

Public Comment: Blair Beekman urged addressing homeless issues.

Action: Upon motion Councilmember Johnny Khamis, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, the Committee approved the recommendations. (5-0.)

- 3. Transportation and Environment Committee**
- 4. Public Safety, Finance and Strategic Support Committee**
- 5. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole**
- 6. Smart Cities and Service Improvements Committee**

There were none presented.

J. Open Government

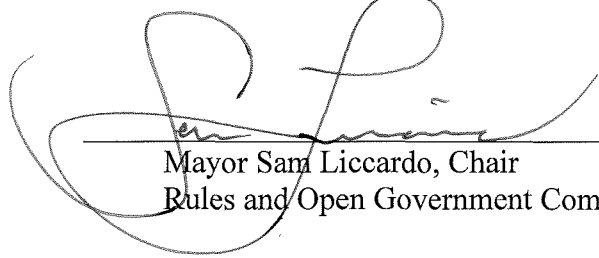
- 1. Appeals of Public Records Act Request – None.

K. Open Forum

- 1. KD Poynter questioned the City's disbursing grant funds to United Veterans Council, an IRC 501(c)(19) that has been suspended, alleging funds were received using false documentation.
- 2. Blair Beekman offered criticism of Bigbelly, surveillance technology and new stages of IoT.

L. Adjournment

Mayor Sam Liccardo adjourned the Committee meeting at 2:28 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/rmk:rulesmin9-5-18